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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
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Summary record of the 365th meeting
Held at the Palais Wilson, Geneva, on Wednesday, 6 September 2017, at 3.15 p.m.

Chair: Mr. Brillantes

Contents

Consideration of reports submitted by States parties under article 73 of the Convention (*continued*)

Third periodic report of Mexico

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The meeting was called to order at 3.30 p.m.

Consideration of reports submitted by States parties under article 73 of the Convention (*continued*)

Third periodic report of Mexico (CMW/C/MEX/3; CMW/C/MEX/QPR/3)

1. *At the invitation of the Chair, the delegation of Mexico took places at the Committee table.*

2. **Mr. Ruiz Cabañas** (Mexico), introducing his country's third periodic report (CMW/C/MEX/3), said that Mexico was affected by all aspects of migration and was in the complex position of being a country of origin, transit and destination for migrants.

3. The number of Mexicans returning to Mexico had recently begun to surpass the number of Mexicans leaving the country, and the number of undocumented migrants transiting through the country had increased by 84.5 per cent between 2012 and 2016. Those undocumented migrants came largely from Guatemala, Honduras and El Salvador and left their countries for various reasons, including poverty, violence, lack of opportunity, natural disaster and a desire to reunite with family members in the United States of America. They included both migrant workers and their families and persons in need of international protection, defined as refugees under the Convention relating to the Status of Refugees. In addition, women and unaccompanied children had made up an increasingly large proportion of the migrants arriving in Mexico in recent years. The number of migrants arriving from other continents had also increased.

4. Various initiatives had been taken to address the phenomenon of migration and its structural causes at the regional level. Mexico had sought to foster regional cooperation on a range of issues, including food security, education and disaster prevention, and had spearheaded a Mesoamerican initiative on security and justice for migrant workers. In addition, steps had been taken to strengthen the protection of the human rights of Mexicans residing abroad, most of whom resided in the United States. Some 5.6 million of the Mexican migrants in that country were in an irregular situation, at a time of increased risk for such persons.

5. In that context, institutional structures had been adjusted in order to respond comprehensively to the phenomenon of migration, and the legal framework now ensured the protection of human rights for all. For example, article 1 of the Constitution, as amended in 2011, stipulated that all State authorities were required to protect and promote human rights. The Migration Act of 2011 established the inviolability of the human rights of migrants, prohibited discrimination on grounds of origin, decriminalized irregular migration and prioritized family unity and protection for vulnerable groups. The 2013-2018 National Development Plan emphasized the importance of protecting, promoting and guaranteeing the human rights of migrants and their families, and the Special Migration Programme coordinated the migration-related activities of all State authorities. As detailed in the report under consideration, Mexico had developed many initiatives based on the experience of international organizations and civil society organizations.

6. The protection of vulnerable groups was a priority. The General Act on the Rights of Children and Adolescents contained a dedicated chapter on child migrants that identified the competent authority and provided for the coordination of State, civil society and international efforts to defend the interests of migrant children, develop standards for their care and ensure that their needs were identified and met.

7. Progress had been made in bringing the legislative framework into line with international standards relating to employment, in the interest of facilitating the integration of migrants. The 2012 amendment of the Federal Labour Act, for example, had introduced the principles of substantive equality for workers, decent work for all and non-discrimination on the basis of immigration status.

8. Migrants transiting through Mexico remained at risk of both common and organized crime. In that connection, the institutional framework in place to guarantee their right of access to justice had been strengthened. The Unit for the Investigation of Crimes against Migrants had been established, and special prosecutors' offices had been set up under the

National Justice Programme 2013-2018 to provide assistance to migrants who were victims of crime. The Victims Act of 2013 set forth the rights of victims and support measures for them, allocated responsibilities among the federal, state and municipal authorities, laid a foundation for training activities and provided for the establishment of the National Victim Support System, the Fund for Aid, Assistance and Full Reparation and the Federal Legal Advice Service and state-level advice services.

9. The crime of trafficking in persons was addressed by a specific legal framework. The General Act on the Prevention, Punishment and Eradication of Trafficking in Persons and the Provision of Protection and Assistance to Trafficking Victims was applicable to all persons in the territory of Mexico, and specialized institutions such as the Office of the Special Prosecutor for Crimes of Violence against Women and Human Trafficking and the National Commission for the Prevention and Elimination of Violence against Women were also involved in addressing the phenomenon. Since 2011, cooperation with the United Nations Office on Drugs and Crime had been strengthened, developing into a strategic partnership that involved training activities, legislative assistance and international cooperation. One of the outcomes had been a set of inter-agency guidelines on illicit migrant smuggling.

10. The preparation of the report under consideration had presented a considerable challenge and had required intensive work involving many State authorities. Public consultations had been held in the north, west and south of the country in advance of its submission. Moreover, within the United Nations, Mexico was closely involved in the preparation of the global compact for safe, orderly and regular migration, which represented an opportunity to keep the topic of migration at the top of the international agenda and promote dialogue among relevant stakeholders, including the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families.

11. Before concluding his statement, he wished to touch briefly on the recent decision of the new administration of the United States to phase out the Deferred Action for Childhood Arrivals programme, which benefited hundreds of thousands of young people, most of whom had been born in Mexico. The Government of Mexico had long emphasized the contribution that the beneficiaries of the programme, who were known as Dreamers, made to the economy, culture and society of the United States, and the President of Mexico, Enrique Peña Nieto, had reaffirmed his solidarity with them a few days earlier. The decision to phase out the programme was regrettable, and Mexico was deeply concerned that thousands of young people born in its territory would now face an uncertain future.

12. The Government of Mexico had a moral duty to urge the executive and legislative authorities of the United States to bring that uncertainty to an end. The Mexican authorities maintained close communication with their counterparts in the United States in order to stay abreast of the process by which the programme would be phased out, and the Ministry of Foreign Affairs, acting through its embassy and consular network in the United States, would strengthen its efforts to provide consular and legal assistance to any Mexican affected by the decision.

13. Mexican Dreamers who wished to return to Mexico would be welcomed with open arms. On the instructions of the President, the Government was taking additional measures to assist returning Mexican Dreamers, utilize their talents and integrate them into society and the economy. Those measures included a dedicated employment programme, a credit scheme, a scholarship programme, changes to the education system and health insurance coverage.

14. **Mr. Ceriani Cernadas** (Country Rapporteur) said that, before proceeding to his questions, he wished to note that, in practice, the distinction between migrants and refugees was often unclear. For example, refugees were subject to a country's immigration policies during the processing of their applications and in the event that their applications were rejected.

15. He would like to know the extent to which decisions on the detention of migrants were consistent with the principles of proportionality and necessity, as well as the principle of exceptionality set forth in the Committee's general comment No. 2 (2013) on the rights of migrant workers in an irregular situation and members of their families. Pointing out that

the number of migrants placed in detention had increased by 300 per cent between 2011 and 2016 and that alternatives to detention were used in fewer than 1 per cent of cases, he enquired what alternatives to detention were available.

16. Noting that the majority of detained migrants were subsequently returned to their country of origin and that most of those returns were considered voluntary, he asked whether there were any alternatives to return and how voluntary return was defined. He enquired whether the State party had assessed the effectiveness of the high number of returns in reducing irregular immigration, whether any statistics were available on repeated attempts at irregular immigration by the same individuals, what measures were taken to ensure that detained migrants had access to free legal assistance and whether the right to appeal against an expulsion decision was adversely affected by the legal provision stipulating that the maximum detention period of 60 days did not apply to migrants who initiated legal proceedings.

17. He would appreciate updated information on the number of migrants who had suffered enforced disappearance; steps taken to fulfil the recommendations made in 2015 by the Committee on Enforced Disappearances (CED/C/MEX/CO/1); investigations, prosecutions and convictions relating to the massacres of migrants in San Fernando, Tamaulipas and Cadereyta, Nuevo León; and measures taken to ensure that the families of those migrants could exercise their right to reparation from abroad.

18. In the light of reports that the Forensic Committee had had to resort to *amparo* proceedings to gain access to certain information, he would like to know what measures had been taken to ensure the exchange of information between the Office of the Attorney General of the Republic and the Forensic Committee, whether the Forensic Committee's mandate would be broadened to cover other cases that required investigation and whether the possible involvement of public entities in the San Fernando, Tamaulipas II case had been investigated. He would welcome more information on the nature of the comprehensive reparation provided by the Executive Commission for Victim Support and on the status of any draft legislation to combat enforced disappearance.

19. He also wished to know whether the Government had assessed the impact of the Southern Border Programme, which authorities were responsible for border control and whether stricter controls had prompted migrants to take more dangerous routes to avoid checkpoints.

20. He would like more information on measures taken and results achieved under the General Act on the Rights of Children and Adolescents of 2014. Noting the dramatic increase in the detention of migrant children between 2011 and 2016, he asked how the best interests of migrant children were protected, which authority was responsible for deciding whether a child should be detained and what steps had been taken to implement the recommendation of the Committee on the Rights of the Child that the State party should take all necessary measures to end the administrative detention of migrant children (CRC/C/MEX/CO/4-5).

21. He enquired how the State party ensured access to legal assistance for child migrants, whether children who faced expulsion were eligible for a humanitarian visa and what measures had been taken to protect child migrants who were living on the street, working on coffee plantations or subjected to labour exploitation in urban areas. He also asked whether psychological support was provided for asylum seekers. Lastly, drawing attention to the alarming levels of gender-based violence in countries such as Honduras and El Salvador, he invited the delegation to comment on the fact that only 19 women facing gender-based violence had been granted asylum between 2015 and 2017.

22. **Ms. Landazuri de Mora** (Country Rapporteur) said that, as one of the facilitators of the preparatory process for the global compact for safe, orderly and regular migration, the State party must lead by example by improving migration governance at the domestic level.

23. She would like to know whether the Government analysed the information collected on migration and took it into account in developing migration programmes at the local and national levels. She would appreciate more information on the content and outcomes of the human rights training provided to civil servants. It was important to provide migration

authorities with practical as well as theoretical training, to ensure that they were aware of the situation on the ground.

24. She asked what steps were taken to ensure access to justice for all migrants, including those who did not speak English or Spanish; to maintain decent conditions of hygiene in detention centres; and to ensure that detained migrants were able to communicate with the relevant authorities and to report ill-treatment suffered at the hands of staff or fellow detainees.

25. She enquired how many Mexican migrants had been detained in the United States, how many such migrants had sought or received consular assistance or other forms of assistance from the Mexican Government, what mechanisms were in place to facilitate the registration of children born to Mexicans in the United States and how many applications for Mexican citizenship had been received by Mexican consulates in the United States.

26. She asked how remittances were transferred to Mexico, how much money was generally transferred and whether efforts had been made to combat the taxation of remittances by the Government of the United States. Noting the measures taken to enable Mexicans abroad to exercise their voting rights in Mexico, she asked what the impact of those measures had been.

27. **Ms. Dzumhur** asked what steps had been taken to harmonize the Migration Act of 2011 with the General Act on the Rights of Children and Adolescents of 2014; what efforts had been made to bring labour legislation into line with the Convention, particularly with respect to migrant workers' right to equal access to employment and to participation in trade unions; whether migrant workers in Mexico were entitled to health insurance; and what health protection system was in place for those workers.

28. She enquired what measures were taken to protect the rights of Mexican migrant workers in the United States, both as migrants and as citizens of Mexico, and whether there was any legislation regulating government communication with migrant workers abroad, especially in the United States.

29. She asked what efforts had been made to cooperate with the countries of origin of migrants in transit in Mexico, whether there was any legislation to promote gender equality in Mexico, what measures had been taken to limit the recruitment of Mexican women as migrant workers and whether the Government had analysed the reasons for the recruitment of Mexican women as migrant workers.

30. Lastly, she asked whether the impact of the Special Migration Programme 2014-2018 had been evaluated and, if so, what conclusions had been reached.

31. **Ms. Castellanos Delgado** said that she would welcome further information on the measures taken, including legislation, to protect women and girls who came from El Salvador, Guatemala and Honduras and travelled through Mexico en route to the United States. Noting that more could be done by the judiciary to protect migrant workers who came from those countries, she asked for statistical information on enforced disappearances of migrants and on the number of offenders who had been tried for acts of robbery and violence against migrants, such as those committed on trains. The people and authorities of Mexico must be called upon to act in accordance with their principles and eradicate such offences. She wished to know what sentences had been handed down to perpetrators of offences against migrants and what steps the Government was taking to build solidarity between the peoples of the Latin American countries.

32. **Mr. Núñez-Melgar Maguiña**, noting that the Government was taking steps to harmonize a number of laws and programmes dealing with migration, trafficking in persons, labour, offences against women and other matters, said that he would welcome information on the outcome of the Government's efforts to prevent and combat trafficking in persons and to assist victims of that crime.

33. Given that migrant workers were often victims of violence, he asked whether the State party had established programmes to provide training on the issue of migration, from a human rights perspective, for judges, prosecutors, magistrates, customs officials and police officers.

34. The Committee wished to know what steps were being taken to combat the drug trafficking gangs that were responsible for many cases of enforced disappearance involving migrants, especially those in transit.

35. Lastly, he asked for information on the current status of the "Tres por uno" (Three for One) programme and its impact on development and social projects.

36. **The Chair** said that he would like the State party to confirm that it was willing to receive all those persons who would be forced to return to Mexico as a result of the decision by the Government of the United States to cancel the Deferred Action for Childhood Arrivals programme. He asked why the Government of Mexico had expressed its readiness to accept those returnees when, in the United States, a number of state attorneys general had indicated their intention to take legal action to block the implementation of the decision to cancel the programme.

37. He wished to know what position the Government of Mexico had adopted on the proposal of the President of the United States to order the construction of a wall along the border between the two countries. How and when, if ever, would the Government of Mexico contribute to the cost of building such a wall?

38. **Mr. Ruiz Cabañas** (Mexico) said that the constructive dialogue with the Committee was an opportunity for the Government to discuss its efforts to implement the Convention and to familiarize itself with the best regional and international practices employed to safeguard the rights of migrant workers and their families. Historically, Mexico had been a country of origin, transit, destination and, above all, of return for migrants. Millions of refugees and migrants from Central and South America, Europe and elsewhere had chosen Mexico as their permanent place of residence and had enriched its society, culture and economy. As a result of the country's almost unique experience in migratory matters, the Government had much to contribute to efforts to implement the Convention, although it was conscious of its limitations and of the enormous challenges that it faced.

39. In recent years, for the first time in decades, more migrants had returned to Mexico than had left it, making it necessary for the Government to change its migration policy, sometimes very quickly. In view of the complex nature of migration, which was driven by economic, demographic and meteorological factors, among others, States would need to cooperate, show solidarity with each other and exchange information and best practices in order to deal with the challenges involved. The Government of Mexico thus had an obligation to support countries such as Guatemala, Honduras and El Salvador in the face of the severe drought that was forcing thousands of people to abandon rural areas of those States. In its efforts to deal with migration, the Government also sought the cooperation of Canada and, in particular, the United States, which was the intended destination of the majority of migrants from Latin America.

40. Given that an increasing number of refugees were entering Mexico, the Government was trying to strengthen its institutional capacity to meet their needs in cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR) Regional Office in Mexico.

The meeting was suspended at 5 p.m. and resumed at 5.25 p.m.

41. **Mr. Ruiz Cabañas** (Mexico) said that the Government was attempting to establish a comprehensive system for the protection of migrants in a situation that was sometimes overwhelming. The Government also had an obligation to protect Mexican nationals living in the United States.

42. The young persons affected by the decision to cancel the Deferred Action for Childhood Arrivals programme were Mexican citizens who had the right to enter and leave Mexico whenever they liked without informing the authorities. As the Government of Mexico had announced in a press release, it would welcome any young Mexican nationals who decided to return to Mexico from the United States. Mexico had the capacity to receive those young persons, and programmes and policies had been drawn up to facilitate their return. The Government was aware that local, municipal and state authorities in the United States planned to challenge the decision in court. Although the Government of Mexico

would pay close attention to the progress of such legal actions, it would be for the judges concerned to determine whether the programme should remain in place.

43. The Government of Mexico had not held, and would not hold, any discussion with the Government of the United States in relation to the latter's proposal to build a wall along the border between the two countries. Given that the wall in question would be built in United States territory, the question of whether to proceed with its construction concerned only the Government of that country and was not on the bilateral agenda of the two nations. As the Government of Mexico had already stated, it would not contribute any funds whatsoever towards the construction of a wall in the United States.

44. **Mr. Ramírez Valtierra** (Mexico) said that Mexico had taken a number of legal measures to ensure the human rights of migrant workers and their families and to regulate migration flows. The 2013-2018 National Development Plan was the first such plan to address the four dimensions of migration, in line with the 2014-2018 Special Migration Programme, which itself had been the result of extensive consultations in both Mexico and other countries.

45. The Special Migration Programme was the first multisectoral programme under which mechanisms had been set up to coordinate the various activities conducted by the federal authorities to assist migrants and their families. It reflected a commitment by the Government and civil society to place migrants at the centre of public policy, in recognition of the benefits and opportunities that resulted from cultural diversity. The Migration Policy Unit of the Ministry of the Interior was coordinating its activities with those of the authorities at the various levels of government to implement the policies established under the Special Migration Programme in broad consultation with local public and private stakeholders, the aim being to replicate the national policy at the local level, in particular through local advisory councils, which included civil society organizations. One of the aims of the Special Migration Programme was to determine how much was spent on migration by the various services and to optimize the use of such resources to reach as many beneficiaries as possible.

46. The Southern Border Programme was an inter-agency strategy to coordinate actions among the three branches of government to comprehensively address questions of migration along the country's southern border. The aim was to make the border services more modern and efficient and to make the border area safer and more prosperous. The purpose of the Southern Border Programme was not to counter migration; in recent years, the Government of Mexico had maintained funding and staffing to control migration along the southern border at fairly constant levels. Until six years previously, the number of migrants detained by the Mexican authorities had exceeded the number detained by the United States, but since 2011 that situation had been reversed as a result of increased funding and staffing of United States border control services. The increase in the number of migrants detained by Mexico was thus proportionally smaller than the increase in the number detained by the United States. In any case, the increase was due not to the implementation of the Southern Border Programme, but to an increase in the number of migrants attempting to transit through Mexico to reach the United States.

47. The Southern Border Programme was financed through the National Development Plan and the Special Migration Programme. Its five main lines of action consisted in ensuring regular and orderly migration flows; improving infrastructure; protecting migrants and providing them with social services; sharing responsibility with other countries in the region; and inter-agency coordination.

48. The activities carried out under the Southern Border Programme included coordination between Mexican authorities at various levels and international organizations such as the International Organization for Migration (IOM) and UNHCR; organization of social service days, with the provision of some 23,000 medical checkups and clinical services; the rehabilitation of schools; training programmes reaching some 800 law enforcement officers and 14,000 children and adults; refurbishment of 10 community canteens; and the training of some 6,000 volunteer cooks. Public opinion had, however, largely overlooked such activities and had concentrated instead on the migration controls along the southern border, notwithstanding the fact that such controls were not even a part

of the Programme; they were carried out by the National Institute for Migration, in accordance with the laws governing migration.

49. Mexico reiterated its commitment to fully respecting the rights of migrants and their families, even as it carried out migration controls and applied sanctions against those who violated human rights and engaged in illegal behaviour. Such efforts were carried out in coordination with the authorities of the three branches of government and were validated by civil society organizations, academics and bodies supporting migrant workers. Within the Ministry of the Interior, the Advisory Council on Migration Policy and the Citizens' Council played an important advisory role in the definition of policies relating to migration.

50. **Mr. Alemán Pacheco** (Mexico) said that a reading of the legislative framework was crucial to understanding Mexican migration policy. Migration control had nothing to do with the Southern Border Programme and was directly related to the relevant legal provisions governing migration flows. The law comprehensively defined the aims of migration policy, including regularity of migration flows and, as a last resort, migration control activities, in the context of ensuring public order. The National Institute for Migration had a specific and exclusive mandate to carry out migration control activities. Police and other law enforcement services took part in such activities in an auxiliary capacity and with the sole aim of ensuring the safety of the persons involved, including migrants themselves. The migration authorities' aim had never been to restrict migration, but to encourage regular migration. To that end, the migration policy called for various measures not necessarily related to migration controls. Some, carried out with the support of civil society organizations, were aimed at discouraging irregular migration by raising awareness of the risks incurred by undocumented migrants. Other measures were aimed at regularizing the status of such migrants. The migration authorities returned migrants to their countries of origin only as a last resort.

51. Any migrants in an irregular situation were eligible for regularization, which was offered as part of the administrative procedures at migration centres. Temporary programmes for regularization targeted persons already living in Mexico who were in an irregular situation and who had assimilated Mexican culture and traditions. Return to a country of origin was seen as a right and a benefit, not as a sanction or punishment. In that context, detention of undocumented migrants was not automatic, but a measure taken in the absence of regularization, with a view to ensuring that all migrants were subject to administrative migration procedures. The law provided alternatives, including the possibility of releasing migrants into the custody of legal persons, provided that the legally established requirements were met. Persons in vulnerable situations, such as children, pregnant women, asylum seekers and stateless persons, were housed in special facilities separate from migrant holding centres. Those measures placed special emphasis on the safety of the migrants and on ensuring that when they left migrant holding centres, they did so in circumstances in which they were able to enjoy their rights under the law, including the possibility of remaining in Mexico in conditions of safety.

52. Return to the country of origin was considered to be an alternative freely chosen by the migrants. The law provided that persons whose entry into Mexico was irregular because they had not used an authorized entry point or had not produced the necessary documentation should be deported, but Mexico had made an unprecedented effort and had applied deportation in only a very few cases. More than 90 per cent of the persons in migrant holding centres were from the northern triangle of Central America. Mexico had signed a memorandum of understanding with the States of that subregion, providing for the orderly, safe and expeditious repatriation of such persons in circumstances in which their dignity was respected. Memorandums had also been signed with Cuba and Ecuador, and negotiations on similar agreements were under way with other countries. The Government ensured that migrants were kept at migrant holding centres only for short periods and in decent conditions; it did not impose administrative penalties for irregular entry into the country.

53. The law set out conditions to ensure that residence at migrant holding centres was voluntary. No one's rights were violated through the application of the law, which specified that the persons in question must accept the benefit of residence. Persons who undertook the administrative procedure for migration also received other benefits, such as the

opportunity to regularize their immigration status, to request international protection as refugees or stateless persons or to be granted visitor status on humanitarian grounds. Throughout the procedures, due process was respected. All the actions taken by the migration authorities were documented in the migrants' administrative case files. The extent to which such measures had reduced irregular immigration was an open question. In some cases, migrants returned to Mexico after being sent back to their countries of origin.

54. Migrants who engaged in such administrative procedures had access to justice through various channels provided by the relevant law. They could receive free legal aid through government agencies or civil society organizations, which must meet certain conditions in order to have access to the holding centres.

55. Children were detained at holding centres only as an exceptional measure. As soon as administrative procedures were undertaken, efforts were made to immediately transfer minors to social assistance centres administered by municipal, state and federal systems for the comprehensive development of the family. If they could not be accommodated at such centres, they were placed with civil society organizations; it was only when there were no alternatives that they were exceptionally placed in migrant holding centres, and only on a temporary basis. In such cases, specific measures were taken to ensure their safety and welfare, including their separation from adults and the presence of juvenile case officers at the facility. The Government was making efforts to strengthen the capacity to care for such children outside the migrant holding centres and to encourage involvement by more stakeholders in providing such care.

56. Both the National Commission for Assistance to Refugees and the National Institute for Migration had set up procedures under which migrants could apply for recognition as refugees or stateless persons, in accordance with the Refugees, Complementary Protection and Political Asylum Act. The procedures were in line with the relevant international conventions. Mexican law provided the greatest possible protection for persons requesting such status. There had recently been an increase in the number of applications for asylum, and the national infrastructure and staff had been overwhelmed. The Government was working to handle the requests with help from international organizations, including UNHCR, and with assistance from civil society.

57. The periodic report listed a plethora of courses and seminars held for civil servants on human rights and on questions related to protection in general. The effects of such training had yet to be evaluated in a systematic manner.

58. **Ms. Dicko** said that in the current context of globalization, migration must be a choice. She asked whether migration was indeed a choice in Mexico in the light of the large and growing number of Mexicans who had chosen to leave their country. Given that the new administration in the United States was adopting a policy that was likely to result in a massive return of Mexican citizens to Mexico, she wondered whether Mexico had any specific policy to deal with such a return. She would also like to know what proportion of the country's economy was supported by the large number of Mexicans who worked in other countries.

59. **Mr. Ceriani Cernadas** said that he would like the delegation to explain more precisely which government bodies provided legal aid to persons detained at migrant holding centres and whether those entities were given specific training and sufficient resources. He asked whether migrants who were detained were brought promptly before a judge. According to information received by the Committee, some 42,000 children were being held at migrant holding centres. He wondered how such a large number of children could be subjected to a measure which the delegation had described as exceptional.

60. **Ms. Landazuri de Mora** said that she wished to know how many of the National Human Rights Commission's recommendations on the treatment of migrant workers had been implemented and how many were still pending. The delegation should describe the system for providing compensation when migrants' human rights were violated. She asked how the Unit for the Investigation of Crimes against Migrants would coordinate its activities with those of the National Human Rights Commission in order to prevent and punish violations and provide compensation and protection to victims of human trafficking. The delegation should also describe the procedure under which migrants who were victims

of abuse of authority or aggression by migration officials of the State party filed complaints. Noting that the Committee had received information according to which up to 90 per cent of the numerous complaints thus filed were dismissed for lack of evidence, she asked for an explanation and pointed out the risk of impunity in those circumstances. Lastly, she asked how the procedure for the assisted return of migrants in coordination with their States of origin protected such persons' safety and their human right to migrate, as such persons had often left their countries out of fear of violence and persecution, without intending to return.

The meeting rose at 6 p.m.